

)	MDL No. 1456
IN RE: PHARMACEUTICAL INDUSTRY)	Master File No. 1:01-CV-12257-PBS
AVERAGE WHOLESALE PRICE)	Sub-Category Case No. 1:08-CV-11200
LITIGATION)	
)	
)	
)	
)	Judge Patti B. Saris
THIS DOCUMENT RELATES TO)	
<i>United States ex rel. Linnette Sun and Greg</i>)	
<i>Hamilton, Relators</i>)	
v.)	
<i>Baxter Hemoglobin Therapeutics and Baxter</i>)	
<i>International, Inc.</i>)	
)	

Relators respectfully request leave to file a memorandum in support of their Opposition to Defendants' Motion to Dismiss Relators' Complaint in excess of the page limitation imposed by District of Massachusetts Local Rule 7.1(b)(4).

On 20 August 2009, this Court granted Defendants' Motion to file a Memorandum in Support of Defendants' Motion to Dismiss that exceeded the page limit imposed by the local rules. Based on the foregoing, Relators respectfully request that the Court grant leave to exceed the page limit to oppose Defendants' Motion to Dismiss. Relators have consulted with defendants, who are unopposed to this Motion.

Respectfully submitted,

Dated: September 21, 2009

LAW OFFICES OF MARK ALLEN KLEIMAN

By: /s/ Mark Allen Kleiman

MARK ALLEN KLEIMAN
California State Bar No. 115959
2907 Stanford Avenue
Venice, CA 90292
310-306-8094
310- 306-8491 (fax)

CERTIFICATION UNDER LOCAL RULE 7.1(A)(2)

I certify that the moving party has communicated with counsel for Defendants' in an effort to resolve the dispute referred to in this Motion and Defendants are unopposed.

Dated: September 21, 2009

LAW OFFICES OF MARK ALLEN KLEIMAN

By: /s/ Mark Allen Kleiman

MARK ALLEN KLEIMAN
California State Bar No. 115959
2907 Stanford Avenue
Venice, CA 90292
310-306-8094
310- 306-8491 (fax)

CERTIFICATE OF SERVICE

I hereby certify that I, Mark Kleiman, an attorney, caused a true and correct copy of the foregoing, Relators' Motion for Leave to File Memorandum in Excess of Page Limit, to be delivered to all counsel of record by electronic service on September 21, 2009, for the posting and notification to all parties.

Dated: September 21, 2009

LAW OFFICES OF MARK ALLEN KLEIMAN

By: /s/ Mark Allen Kleiman

MARK ALLEN KLEIMAN

California State Bar No. 115959

2907 Stanford Avenue

Venice, CA 90292

310-306-8094

310- 306-8491 (fax)